

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth St., SW
Washington, DC 20554



July 30, 2003

Re: Docket No. 93-25

Dear Ms. Dortch:

Today I held a telephone conversation with Jordan Goldstein of Commissioner Copps' office. I emphasized that MAP's clients advocate applying currently-existing broadcast rules to DBS, that reliance on existing rules should be codified in the CFR to facilitate ease of candidate use, and that we did not support the Commission relying on the informal staff advice as was done in the Commission's *Report & Order* under review in this docket.

In addition, I submit for the record a recent article in *Broadcasting & Cable* describing DirecTV's recent efforts to increase its advertising sales by using Nielsen audience ratings. The DBS industry is a full participant in the advertising industry, they should not receive differential treatment when compared with terrestrial broadcasters.

Pursuant to Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b), a copy of this letter is being filed electronically today.

Sincerely,

Cheryl A. Leanza
Deputy Director

DirecTV joins Nielsen family

Broadcasting & Cable

7/28/2003 10:54:00 AM

In an effort to boost its ad sales, DirecTV Inc. will now track viewing on ad-supported networks carried on its direct-broadcast satellite system.

DirecTV is partnering with Nielsen Media Research to measure ratings for its 11.5 million subscribers.

According to the company, DirecTV is the first cable or satellite operator to have its audience tabulated by Nielsen.

DirecTV needs ratings data to compete with broadcast networks, national cable networks and syndicators for national ad dollars, vice president of ad sales Kirk Kopic said.

"When you walk into a major New York agency and you can't talk about ratings, some of them get it, some of them don't," Kopic said. "Buyers have to show clients performance, and they couldn't do it with us."

DirecTV's ad time is handled by Sony Pictures Television, which has been repping DirecTV since 1999.

DirecTV's ratings will "cluster" networks with like viewership, instead of tracking individual networks, as with the national sample. So Lifetime Television and Food Network fall into the women's cluster, for instance, while Bloomberg Television and Fox News Channel are in the news category.

DirecTV has been lobbying Nielsen to measure its audiences for nearly two years.

To accurately count DirecTV's viewers, Nielsen needed to increase its representation in DBS homes.

Previously, out of about 5,000 Nielsen homes, 200 were DirecTV subscribers, Kopic said. That number is up to 500, which Kopic called "a reasonable percentage" of DirecTV's market share.